

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EMSAT ADVANCED GEO-LOCATION
TECHNOLOGY, LLC AND LOCATION
BASED SERVICES LLC

vs.

METROPCS COMMUNICATIONS, INC.,
ET AL.

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CASE NO. 2:08-CV-381-DF-CE

REPORT AND RECOMMENDATION

The above-referenced case was referred to the undersigned United States Magistrate Judge for pre-trial purposes in accordance with 28 U.S.C. § 636. Pending before the court is the defendant Centennial Communications Corp.'s ("Centennial") motion for summary judgment of invalidity (Dkt. No. 139). Centennial contends that the term "exact geographic location" is insolubly ambiguous, and thus each of the asserted patent claims are invalid. For the reasons set forth in the court's claim construction order (Dkt. No. 178), the undersigned recommends DENYING Centennial's motion for summary judgment.

A party's failure to file written objections to the findings, conclusions, and recommendations contained in this report within fourteen days after being served with a copy shall bar that party from de novo review by the district judge of those findings, conclusions, and recommendations and, except on grounds of plain error, from appellate review of unobjected-to factual findings, and legal conclusions accepted and adopted by the district court. Fed. R. Civ. P. 72(b)(2); *see Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

SIGNED this 24th day of June, 2010.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE